

**State Protocol Agreement  
between the  
Montana State Director, Bureau of Land Management (BLM)  
and the  
Montana State Historic Preservation Office (SHPO)  
regarding the manner in which the  
BLM will meet its responsibilities under the National Historic Preservation Act  
(NHPA) as provided for in the National Programmatic Agreement (NPA)**

**Purpose.** This Protocol implements the BLM's National Programmatic Agreement by describing how Montana's SHPO and the BLM will interact and cooperate under the NPA. The goal of this protocol and the NPA is to forge a more meaningful and productive partnership with the SHPO that will enhance the management of and provide ownership for the process under which cultural resources are administered by the BLM.

**Relationship of this Protocol to statewide Memorandum of Understanding.** The statewide Memorandum of Understanding (BLM-MT-932-9102) signed February 12, 1991, will be suspended when the State Director notifies the SHPO that Montana BLM is operating under the terms of the NPA.

**State Land Exchange Programmatic Agreement.** This Agreement (BLM-MOU-MT923-9604), signed November 12, 1996, regarding the exchange of BLM public lands for state lands will remain in effect.

**BLM/USFS Historic Mining PA.** When this PA is signed historic properties related to lode, placer, and associated historic mining activities will be managed under this agreement rather than the NPA.

**Garnet Ghost Town Programmatic Agreement.** This Agreement (BLM-MOU-MT070-103) regarding building stabilization and visitor use facilities in the Garnet Historic District (24GN540) will remain in effect.

**Other Agreements.** Other Programmatic and Memorandums of Agreement may be developed as needed or required to meet BLM's requirements under Section 106 of the NHPA. Circumstances which may require the development of other Programmatic and Memorandums of Agreement include but are not limited to:

When more than one federal agency is involved in an undertaking and BLM accepts lead responsibility for Section 106 compliance, the BLM and the SHPO may agree to either follow the procedures of the NPA or to develop a separate MOA or PA.

When more than one federal agency is involved in an undertaking, and an agency other than BLM takes lead responsibility for the Section 106 compliance, a separate PA or MOA will be developed specific to that undertaking and BLM will follow the provisions of that Agreement.

## **SHPO Involvement in BLM Management Processes.**

**Planning Efforts.** Each Field Office responsible for preparing a comprehensive land use plan will at the beginning its planning effort, invite the SHPO to participate in scoping for the purpose of identifying issues that should be addressed in the plan. The BLM will invite the SHPO to comment on any proposed cultural resource use allocations, that are made in regional, local, or project plans. Field Offices will send all draft and final land use plans and cultural resource project plans to the SHPO for review and comment.

**Field Tours.** The SHPO may participate in public field tours or other field examinations as requested by the SHPO or as invited by the BLM relating to land use planning efforts or specific undertakings whenever management of the cultural resources is involved.

**Annual Work Plans.** Field Offices will transmit to the SHPO copies of annual workplans as they are developed through the budget process. BLM will submit additional information on proposed project work during the year as it becomes available. The SHPO, at its discretion, may request to meet with a Field Office regarding work identified in annual work plans. The BLM will address concerns by the SHPO and will welcome suggestions to facilitate heritage preservation goals.

**Meetings.** The SHPO is encouraged to meet with the Montana State Office or a Field Manager at any time to discuss annual work plans, specific undertakings, outreach efforts, or other issues related to identification, recordation, evaluation, registration, and treatment of cultural resources including those under Sections 106 and 110 of the NHPA.

**Informal Consultation.** The SHPO, the Deputy Preservation Officer, and Field Office personnel may consult informally at their discretion on specific undertakings or any aspect of the BLM's cultural resource management program including but not limited to identification efforts, site eligibility and treatment. Such consultation is encouraged to take full advantage of the SHPO's experience with a broad range of agencies and historic preservation efforts statewide.

**Field Office Operations Review.** The SHPO will, at their initiative, conduct structured on-site compliance reviews of field offices. Review procedures created by the SHPO in consultation with BLM will afford both parties the opportunity to examine the aspects of cultural resource management in each Field Office. BLM will make available the Deputy Preservation Officer, the Field Office Manager, and the Cultural Resource Specialist during these reviews. BLM will also provide pre-visit information to the SHPO as requested in written format. The format and content of such pre-visit information requests will be arrived at through consultation between BLM and the SHPO.

**Periodic Agreement Review.** One year from the signing of this agreement and once every three years thereafter, this agreement will undergo formal review by the signatories.

**Use of National Register Bulletins.** In cases where applicable, the National Register Bulletin series and the Secretary of the Interior's Standards for Historic Preservation Projects and attendant guidelines published by the Department of the Interior, the National Park Service, will serve as the authority in matters concerning the eligibility and treatment of resources eligible for

the National Register of Historic Places.

### **Cooperative Efforts.**

**Shared Data.** Each Field Office will send the SHPO copies of all cultural resource inventory reports, treatment plans, and excavation/treatment reports. CRABS forms will be included for each submitted report. Field Offices will provide these documents, transmitted under the Field Manager's signature to the SHPO as they are completed, but, in general, no later than 180 days after the field work has been completed, to assist in keeping the State repository files current. Where reports cannot be completed within the time frame identified here, the field office will notify the SHPO as to the estimated delivery date.

**Automated Data.** The BLM and the SHPO will work together on an interagency cooperative data sharing project. The project will result in site and project data access for each Field Office and enhanced GIS capability by the SHPO.

**Historic Context Development.** The BLM and SHPO will work together to develop historic contexts, as needed, for historic properties located on public lands.

**Traditional Cultural Issues Review.** The BLM and SHPO will work together to assess means of addressing issues related to the identification, documentation, evaluation, registration, and treatment of Traditional Cultural Properties.

**Public Outreach.** The BLM and SHPO will continue to work together on the following types of interagency initiatives:

**Project Archaeology.** BLM will support the continued integration of archaeological based concepts and preservation ethics in Montana schools.

**Archaeology Week.** BLM will participate in Archaeology Week activities including public presentations, field tours, and exhibits.

**Montana Archaeological Society and the Montana Preservation Alliance.** BLM will participate in avocational initiatives by the Society and the Alliance and encourage their interest in history and archaeology on public lands.

**Public and Native American Participation.** The general public and Native American community will be encouraged to raise issues, express concerns, provide information and identify resources and places they would like the BLM to consider in decision making. The BLM will solicit such input through the public participation opportunities afforded by BLM's land use planning and environmental review processes. In addition, the BLM will be guided by the following documents:

- X *Public Participation in Section 106 Review: A Guide for Agency Officials*, issued by the Advisory Council on Historic Preservation, February 1989.
- X BLM Manual 8160, *Native American Coordination and Consultation*.

- X BLM Handbook H-8160-1, *General Procedural Guidance for Native American Consultation*.

**Case-by-Case Review.** For routine undertakings BLM will follow the procedures in the 8100 Manual series, statewide Handbooks and Manuals, and specific procedures or guidance set out and/or identified in this agreement. For non-routine actions as identified here the BLM will follow the procedures in the NPA, 36 CFR 800, or procedures contained in an project specific MOA or PA. Projects which require case-by-case review include:

- X Non-routine interstate and/or interagency projects or programs, as determined by either the BLM or SHPO. Examples are interstate pipelines or transmission lines which involve multiple jurisdictions and require the preparation of Environmental Impact Statements.
- X Undertakings directly and adversely affecting National Historic Landmarks or National Register listed properties determined to be of national significance in accordance with Chapter V of National Register Bulletin No. 16A.
- X Highly controversial undertakings when Council review is requested by the BLM, the SHPO, an Indian tribe, a local government, or an applicant for a BLM authorization. Highly controversial undertakings are understood to be those which have received a high level of media attention.
- X Undertakings that will have an adverse effect on historic properties when BLM determines that the adverse effect cannot be satisfactorily avoided, minimized or mitigated through treatment.

**Obtaining Specialized Expertise.** When the BLM is involved in an undertaking requiring expertise not possessed by available BLM staff; e.g., architectural history, it will obtain that expertise for the purposes of determining National Register eligibility, and for determining effects and applying appropriate treatment to the cultural properties in question. The BLM may request the assistance of SHPO staff in such cases or may obtain the necessary expertise through contracts, BLM personnel from other states, or cooperative arrangements with other agencies.

**Annual Report.** The Montana State Office will provide an annual report to the SHPO containing statistical information from each field office or zone for activities conducted under the PA. The format and content of this report will result from BLM and SHPO consultation efforts but will be guided by information currently collected for the Cultural Resource Program Annual Report. This report will be submitted to the SHPO by December 15th of each year. Any questions the SHPO may have about the information in this report will be answered by the Montana State Office or the appropriate Field Office. The current format for the annual report is attached as Appendix 1.

**Resolving Issues.** If, at any time, the BLM or the SHPO question an action taken by the other under this Protocol, they will consult to resolve the issue. If the issue concerns an action taken by a Field Office, the questioning party will consult with the Field Manager to resolve it. If the

issue cannot be resolved, the questioning party will request the Deputy Preservation Officer to assist in resolving it. If the issue still cannot be resolved, the Deputy Preservation Officer will refer it to the BLM Preservation Board. The BLM Preservation Board will provide recommendations to the State Director, who will make a final decision.

If a member of the public or an Indian tribe objects at any time to the manner in which this Protocol is being implemented, the BLM and the SHPO will together consult with the objecting party to resolve the issue. If the BLM, SHPO and objecting party are unable to resolve the objection, the BLM will refer the issue to the BLM Preservation Board. The BLM Preservation Board will provide recommendations to the State Director, who will make a final decision.

**Decertification or Suspension of Field Offices.** If as a result of the Field Office Operations Review initiated by the SHPO, or through other means; e.g., losses in key personnel, a field office cannot demonstrate continued capability to operate under the national Programmatic Agreement, that office shall be decertified or suspended in accordance with procedures identified in the national PA. The field office would subsequently operate under regulations found at 36 CFR 800. If a suspended or decertified field office is found to have restored the basis for certification, the Preservation Board will recommend that the State Director recertify the office, also in accordance with the national PA.

**Amending the Protocol.** If the BLM or the SHPO wish to amend this Protocol at any time, they will consult to consider requested changes. Amendments will become effective when signed by both parties.

**Terminating the Protocol.** The BLM or the SHPO may terminate this Protocol by giving ninety days notice to the other party, providing that they consult during this period to seek agreement on amendments or other actions that would avoid termination. The Deputy Preservation Officer may request the assistance of the BLM Preservation Board, National Conference of State Historic Preservation Officers, or the Council in the consultation. If the Protocol is terminated, the BLM will resume operating under the provisions of 36 CFR 800.

**Other State-Specific Procedures.** In addition to the procedures described in Bureauwide directives and Manuals, Montana will be guided by manual supplements and handbooks issued by the Montana State Office. Currently, these consist of Montana Manual Supplements 8111 (Inventory and Evaluation), 8143 (Avoidance and/or Mitigation of Adverse Effects to Cultural Properties), and the *Handbook for Cultural Resource Inventory and Compliance*. The BLM will update these manual supplements and handbook as needed to conform to Bureauwide Manuals and directives, policies issued by the Montana State Director, National Register Bulletins, new laws, and new regulations. The SHPO will be provided an opportunity to participate in revising the Manual Supplements and Handbooks.

**Approved by:**

/s/ Larry E. Hamilton 2/19/98  
Montana State Director, Bureau of Land Management Date

/s/ Paul Putz 2/18/98  
State Historic Preservation Officer Date

## Appendix 1: Annual Report Format

### CULTURAL RESOURCE ANNUAL REPORT

FISCAL YEAR  
REPORTING UNIT:

NOTE: Whenever the term "cultural resource" is used in BLM, it should be understood to apply to either a cultural property or a traditional lifeway value. When one of the specific terms is used, it should be understood that the other is purposely excluded.

Complete pages 1 through 13 for each reporting unit. For responses transmitted to the Washington Office (340), the reporting unit is each State Office (i.e., the response must be a consolidated report submitted by the State Office).

Provide the information requested as a total of units accomplished during the reporting year.

#### I. Inventory (8111)

Furnish the following information in the spaces provided as a total of units accomplished during the reporting year.

A. Number of actions for which existing data reviews were performed or funded by BLM. Include actions involving BLM-administered and/or non-BLM-administered lands (e.g., split-estate; non-BLM surface in areas of "checkerboard" land ownership pattern).

A "literature review," "existing data review," "file search," or "records check" is generally the brief first step before initiating a field survey. Ideally, completing an existing data review means consulting the part II documentation of a completed up-to-date Class I inventory (see BLM Manual Section 8111.13 D). More often, it means checking relatively undeveloped BLM and SHPO survey and site records to learn whether any survey has been conducted and any cultural properties have been recorded nearby.

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B. Number of actions for which existing data reviews were performed or funded by non-BLM entities. Include actions involving BLM-administered and/or non-BLM-administered surface (e.g., split estate; non-BLM surface in areas of "checkerboard" land ownership pattern).

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C. Number of Class I inventories performed to standards in BLM Manual Section 8111.13. A Class I inventory is a detailed study consisting of all the elements described

in 8111.13 C and D. It may take several months to complete. Completing an existing data review, by consulting the part II documentation of a completed, up-to-date Class I inventory (see 8111.13 D), or by checking relatively undeveloped BLM and SHPO survey and site records to learn whether any survey has been conducted and cultural properties have been recorded nearby, should not be confused with a full Class I inventory and should not be called a Class I inventory.

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D. Total acres of BLM-administered surface which were inventoried at the Class III level (e.g., to standards in BLM Manual Section 8111.15 and/or adequate to be considered complete coverage for purposes of compliance with Section 106). Include all acres inventoried, regardless of whether BLM or non-BLM entities performed the inventories.

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E. Total acres of non-BLM-administered surface (i.e., split estate; non-BLM surface in areas of "checkerboard" land ownership pattern) which were inventoried at the Class III level. Include all acres inventoried, regardless of whether BLM or non-BLM entities performed the inventories.

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F. Total number of cultural properties recorded on BLM-administered surface (i.e. properties which have completed inventory records on file in BLM offices). Include only newly reported properties (i.e., updating or otherwise modifying existing inventory records should not be reported as recording a property).

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G. Total number of cultural properties recorded on non-BLM administered surface (i.e., properties which have completed inventory records on file in BLM offices). Include only newly reported properties (i.e., updating or otherwise modifying existing inventory records should not be reported as recording a property).

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## II. National Register of Historic Places (8121)

Furnish the following information in the spaces provided, for properties involving BLM-administered surface only as a total of units accomplished during the reporting year. Include those properties for which total acreage is BLM-administered surface, as well as multiple ownership properties which may include any amount of BLM-administered surface. Include properties on BLM-administered surface which are National Historic Landmarks. (All NHLs are

listed on the National Register of Historic Places.)

A. Total number of individual BLM cultural properties which were listed in the National Register of Historic Places (NRHP) during the reporting year. For multiple-property nominations (i.e., thematic or district), count all individual contributing properties. For multiple-property nominations listed prior to the reporting year, count all newly listed contributing properties formally added to the original nomination.

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B. Total number of properties that were determined eligible for the NRHP (i.e., notices of NRHP eligibility were received from the Keeper or agreement of eligibility between the BLM and the SHPO was documented) during the reporting year.

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C. Total number of properties that were determined ineligible for the NRHP (i.e., notices of NRHP ineligibility were received from the Keeper or agreement of ineligibility between the BLM and the SHPO was documented) during the reporting year.

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### III. Cultural Resource Project Plans (8132)

Provide the following information for Cultural Resource Project Plans developed in accordance with Manual Section 8132.

A. Number of Cultural Resource Project Plans approved during the reporting year. Report only those plans that were actually signed by the authorized officer.

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B. Number of cultural properties specifically covered by Cultural Resource Project Plans approved during the reporting year.

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C. Estimated funds (dollars) expended to implement any cultural resource project plans approved prior to or during the reporting year. Report the combined total of operations plan dollars and workmonth dollars. Do not include dollars of contributed time.

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#### IV. Physical and Administrative Protection (8141)

Provide the following information for physical and administrative measures protecting cultural resources, regardless of which subactivity funded them. Report the total number of individual properties protected by measures taken during the reporting year. Note that specific properties may be counted in more than one protection measure if several measures are used. The number of individual properties reported to be protected under the measures outlined is expected to be relatively low. Only properties that receive direct and site-specific protection should be included.

A. Patrol and Surveillance: Number of cultural properties visited by on-the-ground patrols or surveillance for the purpose of detecting or deterring unauthorized use. Report visits by law enforcement personnel, other BLM personnel, and volunteers.

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B. Monitoring: Number of cultural properties visited on-the-ground for the purpose of monitoring property condition (e.g., deterioration from natural forces; deterioration from human activities), that resulted in at least minimal level of documentation (i.e., establishing baseline data, updating existing property form).

1. Number of monitored properties in stable condition.

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2. Number of monitored properties noticeably deteriorating.

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C. Signing: Number of ARPA signs (or similar anti-looting/anti-vandalism signs) installed specifically to protect cultural resources.

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D. Fencing/Gating: Number of properties enclosed or otherwise specifically protected by fencing/gating projects. Examples: fencing an intaglio to protect it from off-highway vehicles, fencing or gating the entrance of a rockshelter to prevent looting, installing a fence around a cabin to prevent livestock damage. Report all properties specifically protected, even if the fencing/gating was not installed primarily for that purpose (e.g., if a fence installed to protect a riparian area also happens to protect cultural properties located within that area, those properties would be reported).

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E. Stabilization: Number of properties on which actions were taken to maintain them in their present condition and/or to arrest natural and human-caused deterioration.

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F. Maintenance of Protection Facilities/Measures: Report number of protection facilities and/or protection measures maintained during the reporting year (e.g., number of damaged signs replaced, number of previously installed fences repaired, number of measures maintained such as reapplying mud to seal adobe walls or refilling holes dug by vandals).

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G. Administrative Measures: Report the number of cultural resources protected by administrative measures taken for the express purpose of directly benefitting cultural resources (e.g., closure to off-highway vehicles and other use restrictions, withdrawal from mineral entry, ACEC designations (included only because ACECs are afforded a higher level of protection under the surface mining regulations)).

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H. Total Number of Cultural Resources Under Protection: Report the number of cultural resources protected by one or more of the protection measures listed above in sections IV.A through H. Report each cultural resource protected only once, even though it may be included in more than one protection category.

NOTE: The total number of cultural resources protected under the various measures is expected to be relatively low (i.e., in the hundreds rather than the thousands).

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I. Aerial Surveillance: Report the number of hours flown for any aerial surveillance of cultural resources during the reporting year. Include hours flown by or on behalf of BLM.

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#### IVa. Public Enhancement

A. Public Enhancement: This includes on-the-ground measure which increase public awareness and appreciation for cultural properties such as interpretive signing, visitor trails, kiosks, parking areas, removing graffiti and trash from properties, and installing visitor facilities. Many of these measures may be done in conjunction with the recreation program. Report the number of cultural properties for which these actions were completed.

V. Avoidance and/or Mitigation (8143)

Provide information for all undertakings or actions involving avoidance and/or mitigation of effects on cultural properties for the purpose of complying with Section 106 of the National Historic Preservation Act. Report as a total of units accomplished during the reporting year. The undertakings or actions may involve either BLM- or non-BLM-administered lands.

A. Actions Involving Cultural Resource Field Inventories:

The items in Table 1 are to be divided between those funded by BLM and those funded by other agencies, contractors, etc. In column 1, list all actions for which field inventories were completed. In column 2, list the acreage inventoried at a Class III level for the actions (including the acreage of sample units in Class II surveys). In column 3, report the number of actions in which cultural properties were located within the project area, regardless of whether those properties were impacted. In column 4, report all properties located within the project area, regardless of whether they were impacted (include those avoided by project redesign, project cancellation, etc.).

Table 1

	Number of Actions	Number of Acres Inventoried to Class III Lever	Number of Actions With Properties Present	Number of Properties Involved
BLM (BLM Cost)				
Others (Own Cost)				
Total				

B. Cultural Properties Avoided and/or Effects Mitigated: Provide the following information.

1. Number of Properties Avoided: Report total number of properties where potential adverse effects of actions were avoided during the reporting year regardless of the reason for the avoidance (e.g., properties avoided by project redesign, realignment, cancellation, etc.).

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2. Number of Properties on Which Mitigation Performed: Total number of properties on which a physical mitigation (i.e., fieldwork) of effect was completed during the reporting year. This may involve properties for which mitigation was recommended in a previous year.

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3. Number of Properties Damaged or Destroyed Without Mitigation: Total number of properties recorded and damaged or destroyed by the action during the reporting year. This means properties which were recorded but allowed to be damaged or destroyed without further mitigation of effects. Example: A project will adversely affect 100 properties. Through the Section 106 process, it is decided that 30 of these are representative of all properties within the project area and will be excavated. The remaining 70 recorded properties will be damaged or destroyed without any further mitigation of effects. An example of damage would be properties impacted by drill seeding resulting in some loss of integrity.

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C. Section 106 Consultation: Provide the following information for actions involving compliance with Section 106 of the National Historic Preservation Act of 1966, (i.e., involving consultation with the State Historic Preservation Officer (SHPO) and/or Advisory Council on Historic Preservation (ACHP)).

1. Section 106 Consultation with SHPO:

a. Actions Completed: Report the number of individual actions on which Section 106 consultation with the SHPO was completed in accordance with the Council's 36 CFR 800 regulations, subsections 800.4 through 800.6. This would include any level of consultation that is documented in your files. Include only those actions for which there was specific oral or written consultation with the SHPO during the reporting year.

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b. Properties Involved: Report the number of individual properties involved in the actions reported under 1.a, above.

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2. Section 106 Consultation with ACHP:

a. Actions Completed: Report the number of individual actions on which Section 106 consultation with the ACHP was completed in accordance with the Council's 36 CFR 800 regulations, subsections 800.4 through 800.6. This would include any level of consultation that is documented in your files. Include only those actions for which there was specific written consultation with the ACHP during the reporting year. Actions for which there was consultation with both the SHPO and ACHP should be reported here and under 1.a, above.

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b. Properties Involved: Report the number of cultural properties involved in the actions reported under 2.a, above.

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3. Actions Completed in Conformance with Programmatic Agreements (including PAs, PMOAs, MOAs, or MOUs): Report the number of actions completed in conformance with statewide or project specific Section 106 Programmatic Agreements (including PAs, PMOAs, MOAs, or MOUs) during the reporting year that, because of streamlined procedures, did not involve oral or written consultation with the SHPO and/or ACHP prior to implementation of the action. Actions reported here would not be included in items 1 or 2, above.

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D. Discoveries Subsequent to Section 106 Review: This section provides data for estimating the extent to which cultural properties are discovered unexpectedly during the implementation of an undertaking subsequent to completion of the Section 106 review process.

1. Number of actions resulting in unanticipated cultural properties being discovered subsequent to Section 106 compliance.

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2. Subsequent to Section 106 compliance, number of unanticipated properties discovered that were avoided or subjected to mitigation.

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## VI. Data Recovery Projects

Data recovery projects include recordation, surface collection, and excavation and are conducted to mitigate effects to a cultural property threatened by destruction or disturbance. Provide

information in Table 2 for all cultural resource data recovery fieldwork projects completed during the reporting year.

Under costs, be sure to provide accurate figures. The figures used should reflect what was spent in the reporting year only and should represent a combined total of workmonth dollars and operations plan dollars.

A. Provide information for projects funded by subactivities 4331 or 6332 (O&C).

B. Provide information for projects funded by other subactivities, i.e., minerals, range, wildlife, etc.

C. Provide information for projects paid for by non-BLM entities, e.g., work in connection with a proposed right-of-way paid for by an oil company. Since dollar amounts expended by non-BLM entities is generally unavailable to BLM, this column should not be completed.

Table 2

	Number of Projects	Number of Properties	Cost
A. Cultural Resource Program			
B. Other Subactivities			
C. Non-BLM			NO DATA AVAILABLE

## VII. Cultural Resource Use Permits

Except for item A, below, provide information for actions taken only during the reporting year:

A. Number of permits in effect during the reporting year (including any that expired prior to or at the end of the year).

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B. Number of permits under which work was conducted during the reporting year.

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C. Number of fieldwork authorizations (i.e., field survey, recordation, data recovery) issued.

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D. Number of authorized investigations field-checked.

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E. Number of permits issued for investigations not prompted by Section 106 compliance activities.

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F. Number of permit applications received.

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G. Number of permit applications denied.

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H. Number of permits suspended or revoked.

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I. Number of decisions disputed or appealed

1. Number of disputes (i.e., disputes filed with the State Director or Bureau Director, as appropriate, in accordance with 43 CFR 7.36 (a) and (b)).

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2. Number of appeals (i.e., formal appeals with the Interior Board of Land Appeals filed in conformance with the procedures in 43 CFR Part 4, Subpart E).

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J. Number of notifications to Indian tribes of proposed work (i.e., work to be done under permit, by agency or under contract that may possibly harm or destroy properties having religious or cultural importance for the tribes). Report the number of individual actions for which Indian tribes were notified, not the actual number of tribes notified.

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### VIII. Enforcement

Provide the following information for actions taken only during the reporting year:

A. Number of documented violations of ARPA, the Antiquities Act, Federal property laws, or other statutes protecting archaeological properties.

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B. Number of arrests made in cases of documented vandalism or looting.

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C. Number of citations issued in cases of documented vandalism or looting.

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D. Number of individuals prosecuted under ARPA for documented vandalism or looting.

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E. Number of misdemeanor convictions under ARPA.

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F. Number of felony convictions under ARPA.

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G. Number of second ARPA convictions.

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H. Number of individuals prosecuted under other authorities.

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I. Number of misdemeanor convictions under other authorities.



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J. Number of felony convictions under other authorities.

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K. Amount collected in criminal fines under ARPA.

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L. Amount collected in criminal fines under other authorities.

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M. Number of individuals prosecuted under the civil penalties of ARPA.

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N. Amount collected in civil penalties under ARPA.

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O. Costs for restoring or repairing archaeological resources in cases in which civil penalties have been assessed for violations of ARPA or other authorities.

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P. Amount given in rewards under ARPA.

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Q. Commercial value of artifacts seized and retained by the government under ARPA.

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R. Commercial value of property seized and retained by the government in ARPA convictions.

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S. Amount spent by law enforcement for archaeological resource protection.  
Include funds contributed by both the 4740 and 4331 subactivities.

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